



Agenda Item Number: 2005-8-8A

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: August 9, 2005

Department: Commission **Staff Contact:** Commissioner Michael Brasher

TITLE: State Reimbursement for Unfunded Mandate

ACTION: Motion to approve Administrative Resolution AR -2005 seeking an appropriation from the New Mexico legislature to reimburse the County of Bernalillo for the cost of the election related to the proposed charter for unification of the County of Bernalillo and City of Albuquerque.

SUMMARY:

In 2000 the New Mexico State Legislature passed Senate Joint Resolution (SJR) 26, an amendment to the State Constitution, providing a process for unification of the City of Albuquerque and the County of Bernalillo. A statewide election was held on November 7, 2000 and the Constitutional Amendment was ratified by the electorate. The State Legislature did not appropriate funds to pay for any costs, including the election costs, mandated in SJR 26.

The process that was approved has thus far mandated, without funding, three Charter Committees, several studies, administrative expenses and three general elections associated with the question of City/County consolidation. Elections were held on the following dates:

1. A consolidated precinct election held December 4, 2001
2. A mail-in election held November 4, 2003
3. A question added to the November 2, 2004 ballot

The City/County consolidation question failed on each of the three attempts.

ATTACHMENT:

1. Administrative Resolution AR -2005 seeking legislative appropriation for unfunded mandate

FISCAL IMPACT

If the administrative resolution is funded by the State Legislature the County's budget will be restored for the cost of the unfunded mandate (elections, committees, studies and administrative costs) required by the previous legislative action.

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

See summary. HMW for TL 8/5/05

DEPUTY COUNTY MANAGER FOR FINANCE

See fiscal impact. DM 8/5/05

LEGAL

Approved as to form . JL 08/05/2005